

UNITED STATES SOUTHERN DISTRICT
DISTRICT COURT OF THE STATE OF NEW YORK
COUNTY OF

Attorney: TRIEF

Return Date:

CASE
Index No. 08CV 01977

Date Filed:

Petitioner(s)
Plaintiff(s)

— against —

Defendant(s)
Respondent(s)MEMORIAL HOSPITAL FOR CANCER AND ALLIED DISEASES**AFFIDAVIT OF SERVICE**STATE OF NEW YORK: COUNTY OF NASSAU

SS:

THE UNDERSIGNED DEPONENT BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY OF THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on MARCH 13, 2008 at 12:58 P.M. at LEGAL OFFICE 1275 YORK AVE NEW YORK, NY

deponent served the within SUMMONS AND COMPLAINT, INDIVIDUAL PRACTICES OF JUDGE PETER K. LEISURE upon INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE HENRY PITMAN, INSTRUCTIONS FOR FILING AN ELECTRONIC CASE, GUIDELINES FOR ELECTRONIC CASE FILING, PROCEDURES FOR ELECTRONIC CASE FILING + NOTICE FROM CHAMBERS OF JUDGE PETER K. LEISURE. witness/defendant/respondent (hereinafter called the recipient) therein named.

MEMORIAL HOSPITAL FOR CANCER AND ALLIED DISEASES

☐ A By Personally delivering to and leaving with said individual, and that he knew the person so served and described as recipient therein.

CORPORATION By delivering to and leaving with MARILYN CHI BOWSKI and that he knew the person so served and authorized to accept service to be ☐ an officer ☐ director ☐ managing or general agent ☐ cashier ☐ assistant cashier ☒ Agent authorized by appointment or by law to receive service.

☐ Other pursuant to CPLR Section 311:

SUITABLE AGE PERSON By delivering thereat a true copy of each to ☐ a person of suitable age and discretion. Said premises is recipient's ☐ actual place of business ☐ dwelling place ☐ usual place of abode within the state.

AFFIXING TO DOOR, ETC. By affixing a true copy of each to the door of said premises, which is recipient's ☐ actual place of business ☐ dwelling place ☐ usual place of abode within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat, having called there

☐ D Deponent talked to ☐ at said premises who stated that recipient ☐ lived ☐ worked there.

MAILING TO RESIDENCE USE WITH CorD Within 24 hours of such delivery or affixing, deponent enclosed a copy of same in a first class postpaid envelope properly addressed to recipient at recipient's last known residence, at ☐ and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the recipient.

MAILING TO BUSINESS USE WITH CorD Within 24 hours of such delivery or affixing, deponent enclosed a copy of same in a first class postpaid envelope properly addressed to recipient at recipient's actual place of business, at ☐ in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the recipient.

☐ RPAPL 735 An additional mailing by Certified Mail was made to the respondent at the premise sought to be recovered.

DESCRIPTION Deponent further states that he describes the person actually served as follows:

SEX	SKIN COLOR	HAIR COLOR	AGE (Approx.)	HEIGHT (Approx.)	WEIGHT (Approx.)
<u>FEMALE</u>	<u>WHITE</u>	<u>BLONDE</u>	<u>50-60yrs</u>	<u>5'11"</u>	<u>170-200LBS</u>

Other Identifying Features:

WITNESS FEES ☐ H \$ the authorizing traveling expenses and one day's witness fee: ☐ was paid (tendered) to the recipient ☐ was mailed to the witness with subpoena copy.

MILITARY SERVICE ☐ I I asked the person spoken to whether defendant was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Defendant wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as the term is defined in either the State or in the Federal statutes.

Sworn to before me the 13th day of March, 2008

DAWN AVELLINO
NOTARY PUBLIC, State of New York
No. 4879456
Qualified in Nassau County
Commission Expires March 23, 2011

John F. Barry
JOHN F. BARRY
License No. 798044